

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP – GADWAL - Mahabubnagar District – Gadwal (M&V) – O.P.No.140/86 & batch (3 O.Ps) - Sanction of decretal charges of **Rs.3,00,515/-** Orders Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 88

DATE:07.02.2009

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/621/2008,dt:28.11.08
alongwith the letter of Spl.Collector, LA, Bheema Project, Mahabubnagar.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.Nos.140/86, 221/89 & 231/93 (total 3 O.Ps) pertaining to Gadwal (V&M) of Mahabubnagar District. The then Special Dy.Collector, LA, PJP, Gadwal had acquired an extent of Ac.21.00 gts in the limits of Gadwal (V&M) vide Award No.05/85, dt:28.03.1985 by fixing the market value @Rs.4,000/- per acre for dry lands and @Rs.7,000/- per acre for Wet lands. Aggrieved with the market value awarded by the LAO, the awardees filed petitions U/s.18 (1) of L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:20.04.1995 had delivered judgments by enhancing the market value from Rs.4,000/- to Rs.30,000/- per acre for dry lands and from Rs.7,000/- to Rs.40,000/- per acre for wet lands. Aggrieved with the market value enhanced by the Lower Court, the Special Deputy Collector, LA, PJP, Gadwal filed appeal in the Hon'ble High Court of A.P, Hyderabad. The Hon'ble High Court dismissed the appeal filed by the LAO/SDC, LA, PJP, Gadwal by confirming the judgments of the Lower Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.3,00,515/- (Rupees Three lakhs five hundred and fifteen only)** in respect of O.P.Nos.140/86, 221/89 & 231/93 (total 3 O.Ps) pertaining to Gadwal (V&M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The amount in para (11) above, shall be debitable to the following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122– Jurala Project G.H.11- NSP-SH (27) – Canals and Distributaries - 530 Major works -532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.SP.256/F2(2)/2009-1, dated 31.01.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar District.

The Chief Engineer, Irrigation, MBNR, Jalasoudha, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.35153/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER